Chandka

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3057 OF 2007
IN
SUIT NO. 389 OF 2005

Adreet Builders & Developers
Pvt. Ltd. ..Plaintiffs

versus

Azizur Rahman Faiz & Ors. ..Defendants

Mr. R. R. Naik for the Plaintiffs.

Mr. S. V. Kadam i/b. M/s. Kadam & Co. for the Defendants.

CORAM : S. A. BOBDE, J.
DATE : 21ST NOVEMBER, 2007.

P.C.

. The main grievance of the defendants is that the Property Card issued by the City Survey Officer dated 8.3.2004 contains a reference to a High Court Decree, which is non-existent. According to the defendants, the plaintiffs have misled the City Survey Officer into making the said entry in the Revenue Records. The Defendants have, therefore, prayed for impounding the said document.

2. The learned counsel for the plaintiffs state

that the Plaintiffs are not in a position to produce the consent decree referred to in the Property Card at this stage before this court.

3. I find however that the ad interim order passed by this court on 6.9.2007 adequately protects and safeguards the rights of the parties. Hence, I am of view that ad interim order of status quo shall remain in force, pending the suit. Needless to say the defendants shall be at liberty to make appropriate prayer for impounding, etc., as may be advised in respect of the document at the stage of evidence. Notice of Motion is made absolute accordingly by way of an order of status quo.

(S. A. BOBDE, J.)